# CLASSIFICATION OFFICE DECISION

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| **Title of publication:** | 409334.jpg |
| **Other known title(s):** | Not stated |
| **OFLC ref:** | 0901076.000 |
| **Medium:** | Computer Image File |
| **Publisher:** | Not stated |
| **Country of origin:** | Not stated |
| **Language:** | Not applicable |
| **Applicant:** | Commissioner of Police |
| **Classification:** | Objectionable. |
| **Descriptive note:** | None |
| **Display conditions:** | None |
| **Date of entry in Register:** | 06 October 2009 |
| **Date of direction to issue a label:** | No direction to issue a label has been issued |

**Summary of reasons for decision:**

The image is deemed objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it promotes and supports the exploitation of children for sexual purposes. The image focuses closely on sexual behaviour involving two boys. This has the effect of legitimising and encouraging a sexual interest in young boys.

The classification of this publication interferes with the freedom of expression as set out in the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.